

REMARKS IN RESPONSE TO THE OFFICE ACTION

This amendment is responsive to the final Office Action dated March 17, 2009. Claims 1–14 and 16–25 are pending in the application, with Claims 1 and 14 being independent claims. Applicant appreciates the indication that Claim 3 would be allowable if rewritten in independent form to include all the recitations of the base claim and any intervening claims and that Claims 14 and 16–24 are objected but would be allowable if amended to overcome the objection.

The Examiner has required restriction among Group I (namely, Claims 14 and 16–25), Group II (namely, Claims 26–29), Group III (namely, Claim 30), and Group IV (namely, Claim 31). In addition, the Office Action objects to Figure 8 as being inaccurate based on the depiction of the curved bearing surface 120 in relation to the string 300. The Office Action also objects to Claims 1–14 and 16–25 due to informalities. Finally, Claims 1, 2, 4–13, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,054,992 to Ballas et al. (“Ballas”) in view of U.S. Patent No. 6,314,848 to Morabit et al. (“Morabit”) and U.S. Patent No. 6,401,344 to Moore et al. (“Moore”).

Applicant thanks the Examiner for the courtesies extended during the telephonic interviews conducted on May 4, 2009, and May 5, 2009. During the interviews, the amendments to the specification and claims included in this Response were discussed with the Examiner, and the Examiner indicated that such amendments would overcome the objections and rejections of the Office Action. As such, rather than address the merits of all the objections and rejections, Applicant has decided to amend the specification and claims as discussed with the Examiner and described herein and respectfully submits that the application is now in condition for allowance.

Restriction Requirement

The Examiner has required restriction among Group I (namely, Claims 14 and 16–25), Group II (namely, Claims 26–29), Group III (namely, Claim 30), and Group IV (namely, Claim 31). The Examiner has withdrawn Claims 26–31 based on Applicant’s constructive

election of Group I by original presentation of Claims 1–14 and 16–25 for prosecution on the merits. Applicant hereby confirms the election to prosecute the claims of Group I (Claims 14 and 16–25) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims. Claims 1–14 and 25–31 have been canceled to address the Restriction Requirement and other objections described in the Office Action. Accordingly, independent Claim 14 and the claims that depend therefrom (i.e., Claims 16–24) are now in condition for allowance.

Drawings Objection

The Examiner has objected to the drawings because, in the Examiner's opinion, the embodiment shown in Figure 8 does not appear to be correct. In particular, the Examiner states that Figure 8 is inaccurate because it does not show the curved bearing surfaces 120 as supporting the string 300.

Applicant's representative explained to the Examiner during the telephonic interviews that Figure 8 depicts the cutting head at rest, in which case the string 300 would not necessarily contact the curved bearing surfaces 120. To clarify this point, the specification has been amended as described above to recite that Figure 8 shows the cutting head "at rest" and that "The direction in which the head would be rotated when not at rest is illustrated by the arrow F." The specification was also amended to correct a typographical error regarding the number of strands of string 300 shown in Figure 8. The Examiner indicated during the telephonic interviews that such amendments would overcome the objections of the Office Action.

Claims Objection

The Examiner has also objected to Claims 1–14 and 16–25 due to informalities. As previously mentioned, Claims 1–13 have been canceled, and, thus, the objection with regard to these claims are moot.

Regarding Claims 14 and 16–25, the Examiner noted that Claims 14 recites a passageway “for” a cutter string (i.e., the cutter string is not part of the claimed cutting head), whereas Claims 23 and 24 “further evidence the cutter string as part of the cutting head.” Office Action, page 4. Accordingly, Claim 14 has been amended to recite the “inner edge being configured for engaging a trailing edge of the string.” Furthermore, Claim 23 has been amended to recite that “the string passageway is configured for receiving a cutter string having a polygonal cross-section,” and Claim 24 has been amended to recite that “the string passageway is configured for receiving a cutter string having a width greater than about 3 mm.” The Examiner indicated during the telephonic interviews that such amendments would overcome the objections to the claims listed in the Office Action. As such, Applicant respectfully submits that Claims 14 and 16–24 are now in condition for allowance.

Claims Rejection under 35 U.S.C. § 103(a)

Claims 1, 2, 4–13, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ballas in view of Morabit and Moore. As mentioned above, Applicant has canceled Claims 1–13, and 25. As such, the rejection of Claims 1, 2, 4–13, and 25 is moot.

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CONCLUSION

In view of the remarks and amendments presented above, it is respectfully submitted that Claim 14 and all the claims depending therefrom (*i.e.*, Claims 16–24) are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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